NPL-U20-3-12-1-R5
(con't)

144876

EXHIBITS ATTACHED TO

IRA S. BERG, ESQ. CERTIFICATION

IN SUPPORT OF

CERRO COPPER PRODUCTS CO.'S COMMENT

TO PROPOSED NPL LISTING OF

SAUGET AREA 1, SAUGET, ILLINOIS

EXHIBITS 24 - 32

VOLUME IV

LOWENSTEIN, SANDLER, KOHL,
FISHER & BOYLAN, PC
65 Livingston Avenue
Roseland, NJ 07068
(201) 992-9700
Attorneys for
Cerro Copper Products Co.

Illinois Environmental Protection Agency · P.O. Box 19276, Springfield, IL 62794-9276

217/782-3760

Refer to: L1631210003 -- St. Clair County
Cerro Copper Products -- Sauget
Superfund/Technical

June 13, 1990

Raymond J. Avendt
Vice President - Environmental Affairs
The Harmon Group, Inc.
255 West Washington Street
Chicago, Illinois 60606

Dear Ray:

In regards to IEPA's insistence that a vapor barrier be installed after the removal, it had been decided that at minimum, a clay liner would be necessary. Because of the nature and quantity of wastes that were disposed of at Site I, and the fact that a migration path between Site I and Creek Segment A (CS-A) has already been established, releases of volatiles into a remediated CS-A could pose a significant health risk, particularly to the workers at Cerro. IEPA proposes that an air monitoring program be implemented to monitor post-removal emissions and determine if further actions are necessary.

I have reviewed the Chapter 2 section of the work plan and find that the IEPA concerns which we had discussed at our June 5 meeting have been addressed. If you have any questions or concerns about the project, do not hesitate to call.

Sincerely,

Paul E. Takacs, Project Manager
Federal Site Management Unit
Remedial Project Management Section
Division of Land Pollution Control

PET:rd2088n/32

cc: Terry Ayers
Bruce Carlson
Joe Grana, Cerro
Division File

JC000570

M0801

Illinois Environmental Protection Agency · P. O. Box 19276, Springfield, IL 62794-9276

MEMORANDUM

DATE: July 31, 1990

FROM: Paul E. Takacs, FSMU

TO: Terry G. Ayers, FSMU

SUBJECT: L1631210008 -- St. Clair County
Cerro Copper Products (CS-A) -- Sauget
Superfund/General Correspondence

As we had discussed earlier, it has come to my attention that the on-scene coordinator (OSC) assigned to assist me in the oversite for the removal at Cerro Copper has been reassigned to other projects.

In light of the extensive oversite that will be required during the removal, it should be noted that I will not be able to provide these services on a full time basis. Since we had been aware of these time constraints, the Consent Decree made provisions (see Section XVI, Part B) for the project manager to appoint an OSC or an outside consultant to assist in the oversite. If an OSC from the Collinsville FOS is not available, I would suggest the use of another project manager on a part time basis.

The site is technically a SRAPL site since it is not NPL or proposed NPL. A project manager from the SRAPL or Immediate Removal Units would be most helpful and more cost effective than hiring an outside consultant.

PET:rd2696n/20

cc: Jim Janssen
Gary King
Bill Child
Division File

Illinois Environmental Protection Agency · P.O. Box 19276, Springfield, IL 62794-92

217/782-6760

Refer to: L1631210008 -- St. Clair County
Cerro Copper Products (CS-A) -- Sauget
Superfund/Technical

September 10, 1990

Joseph M. Grana
Manager of Environmental and Energy Affairs
Cerro Copper Products Co.
P.O. Box 66800
St. Louis, Missouri 63166-6800

Dear Joe:

Provided are comments from the Illinois Environmental Protection Agency (IEPA) for the Site Safety Plan (SSP) relative to the removal action. In regards to the Quality Assurance Plan, IEPA has no further comments. All comments in this document are relative to the SSP.

The health and safety protocols established in the SSP are based on the site conditions and chemical hazards known and/or anticipated to be present from the available site data. The possibility of undocumented disposal within the site requires a conservative approach to on-site safety procedures. The following site safety plan review covers only the proposed activities described in the most recent site investigation work plan. Since specifications herein are subject to review and revision based on actual conditions encountered in the field during site characterization activities, IEPA can only review the document for completeness with OSHA 29 CFR 1910.120 (b)(4)(ii) A through J.

Therefore, acceptance of the final revision does not imply either approval or disapproval of the SSP.

It should also be noted that all auxiliary operations and equipment which may be on-site but not covered specifically in the SSP must comply with all applicable parts of OSHA 29 CFR 1910 and 1926.

GENERAL COMMENTS

No work should be performed at the site under any description unless it has been addressed in the SSP.

Introduction

A description of the surrounding community has not been addressed (i.e., industrial, residential, rural, etc.). Of special concern is the proximity to other industrial facilities.

A. Safety and Health Analysis

Standard operating procedures or safe work practices are not provided in order to minimize potential health hazards. In particular is the sampling job task which indicates that personnel will have to work on unsolidified materials or

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be working from the elevated bucket without regard to safety belts or life lines, etc.

In addition, no information has been provided for the loading and transport job tasks.

b. Employee Training

Requirements of 29 CFR 1910.120(e) have not been met in regards to hours, frequency, and types of training for subcontractor personnel who are working in the excavated areas which still fall within the definition of a hazardous waste site are therefor covered by the standard.

F. Site Control

Site operating and emergency communications have not been addressed. Of major importance is the potential for a chemical release from the adjacent Monsanto property. Therefor, the emergency communications including evacuation must include the Monsanto emergency communications system.

H. Emergency Response Plan/Contingency Planning

It is not clear whether the contractor will be performing their own emergency response or if not, then who will be the emergency responders and how will they be prepared? While this function is not expected, the uncovering of a buried drum recently means this subject should be updated to reflect current site conditions.

I. Confined Space Entry

A Confined Space Entry Program is necessary before site operations begin if the sampler will be entering any narrow excavation.

If you have any further questions, please do not hesitate to contact Jeff Niemann at 217/782-3637.

Sincerely,

Paul E. Takacs, Project Manager
Federal Sites Management Unit
Remedial Project Management Section
Division of Land Pollution Control

PET:rlc/3173n,70-71

cc: Terry Ayers
Jeff Niemann
Division File

J000711

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Illinois Environmental Protection Agency P.O. Box 19276, Springfield, IL 62794-9276

217/782-6760

Refer to: L1631210008-St. Clair County
Cerro Copper Products (CS-A) - Sauget
Superfund/Technical

September 17, 1990

Joseph M. Grana
Manager of Environmental and Energy Affairs
Cerro Copper Products Co.
P.O. Box 66800
St. Louis, MO 63166-6800

Dear Joe:

As we had discussed earlier, the Illinois Environmental Protection Agency (IEPA) has no objection, in principle, to your proposal to include the use of hydrating agents for dewatering purposes. Final approval would be subject to review of a formal Work Plan modification proposal. It is IEPA's understanding that these agents would be used only in the event that creek sediment to be removed does not meet the specifications of the transporter.

In your August 24 letter, you indicated that the dewatering material would be mixed in-situ and that it would not present any unacceptable risk to human health or the environment. IEPA requests that the results of your pilot studies indicate, at minimum, the following:

- criteria and standards used to determine if dewatering is appropriate
- dewatering material type and composition
- methods and rates of application
- health and safety considerations

If you have any questions or concerns about these requirements, please do not hesitate to call.

Sincerely,

Paul E. Takacs, Project Manager
Federal Sites Management Unit
Remedial Project Management Section
Division of Land Pollution Control

PET:pss

cc: Terry Ayers
Bruce Carlson
Jim Morgan, AGO
Robert Watson
Michael Rodburg
Division File

J000390

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Illinois Environmental Protection Agency P.O. Box 19276, Springfield, IL 62794-9276

217/782-6760

Refer to: L1631210008 -- St. Clair County
Cerro Copper Products (CS-A) -- Sauget
Superfund/Technical Reports

December 6, 1990

Joseph M. Grana
Manager of Environmental and Energy Affairs
Cerro Copper Products Company
P.O. Box 66800
St. Louis, Missouri, 63166-6800

Dear Joe:

Pursuant to Section VI (Plans and Reports) of the Consent Decree, Cerro Copper as required to submit a final report detailing all site activities relative to the removal.

I have enclosed a general outline of what IEPA is looking for in this proposal. It may be prudent to send a more detailed outline for me to check before the first draft is sent.

In the meantime, if there are any questions or concerns as to what will be required, do not hesitate to call,

Sincerely,

Paul E. Takacs, Project Manager
Federal Sites Management Unit
Remedial Project Management Section
Division of Land Pollution Control

Enclosure

cc: Terry Ayers
Bruce Carlson
Division File

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Illinois Environmental Protection Agency P.O. Box 19276, Springfield, IL 62794-9276

FINAL REPORT - CERRO COPPER PRODUCTS FOR THE REMOVAL OF CONTAMINATED CREEK SEDIMENT AT DEAD CREEK SEGMENT A SAUGET, ILLINOIS

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CERRO

CERRO COPPER PRODUCTS CO.
P.O. Box 66800
St. Louis, MO 63166-6800
618/337-6000

1l 302-00005 St. Clair
L1631210008 St. Clair
Cerro Copper Products (S.A) Legal
SF/Tech

August 28, 1990

Mr. Paul E. Takacs, Project Manager
Federal Site Management Unit
Remedial Project Management Section
Division of Land Pollution Control
Illinois Environmental Protection Agency
P. O. Box 19276
Springfield, IL 62794-9276

RE: Dead Creek Remedial Activity
Request for Work Plan Modification

Dear Paul:

Per our discussions on August 23, 1990 and as notified in my July 1990 monthly report under Section III, Problem Areas, Cerro is having difficulty dewatering the contaminated sediment. Under Section XV Force Majeure, Paragraph 17B, of the Consent Decree Cerro is advising Illinois EPA that this dewatering problem may delay the completion of the work unless the dewatering process is modified and is requesting a modification in the Work Plan to include the use of a hydrating agent.

Perland Environmental Technologies, our design and construction managers, have advised Cerro that there is the danger that some of the sediment will not pass the paint filter test which is required prior to shipment and disposal of the sediment. This would jeopardize the completion of this project if some of the sediment does not dewater by October 20, 1990, the last date for shipment. Perland recommends and Cerro concurs that it would be prudent to be able to use a hydrating agent to make the sediment shippable. Cerro requests that the Illinois EPA review our proposal and provide its approval promptly.

Currently, Perland began test dewatering of sediment by placing the sediment on to a sand bed and allowing the water to either evaporate or drain through the sand. This activity began on July 18, 1990 as a testing activity; however, the sediment did not dewater as expected. The sediment takes 4 to 5 weeks to drain when deposited in the sand bowl at depths of 3 to 4 feet. This may be acceptable on the south end of the creek where the sediment was not found at depths greater than 4 feet. As we excavate north, the depths of the sediment are greater than 4 feet. The limited area within the banks of the creek will require sediment from the north portion of the creek to be deposited at depths greater than 4 feet in the sand bowl and will require significantly longer than 4 to 5 weeks to allow the sediment to dry.

AUG 2 8 1990
IEPA

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Perland has investigated several methods to accelerate the dewatering but none have proved successful. Perland has made two recommendations to Cerro which they believe would accelerate dewatering and permit the work to be completed on schedule: 1) stockpiling the material outside the creek once it is dry to increase dewatering area within the creek, or 2) add a hydrating agent to the sediment.

Cerro believes the addition of a hydrating agent is the better course of action because it lessens the risk for contaminating uncontaminated areas and material, and would be easier to implement because it would require handling of the sediment only once after it is dry. Cerro expects to use the hydrating agent only when necessary to meet the schedule for the work. The hydrating agent likely will result in additional transportation and disposal costs. The hydrating agent will not present any unacceptable risk to human health or the environment. There is the potential that the addition of a hydrating agent could reduce the toxicity of some of the sediment. Any reduction of the toxicity would also reduce risks during transportation and lessen the treatment required prior to landfilling.

Perland and Cerro foresee that the hydrating agency would be something in the nature of kiln dust, fly ash, cement or lime to be added to the sediment once it is placed into the sand drying bowl within the banks of the creek. The in situ mixing would be accomplished using standard construction equipment. Perland is currently doing bench tests to determine the proper hydrating mix and agent for possible use. Cerro will provide you with the results of the bench test, but in the meantime request your approval to modify the Work Plan to allow for the use of an appropriate hydrating agent.

After approval, Perland will modify the Work Plan and the Health and Safety Plan to accommodate this new procedure.

If you should have any questions, please contact my office.

Very truly yours,
CERRO COPPER PRODUCTS CO.

Joseph M. Grana
Manager of Environmental and Energy Affairs

JMG/ge

cc: James L. Morgan, Illinois Attorney General's Office